



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,567	08/06/2001	Takuya Kuroki	212404US2	7052

22850 7590 12/19/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, JOSEPH H

ART UNIT	PAPER NUMBER
----------	--------------

2815

DATE MAILED: 12/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

A23

Office Action Summary

Application No.

09/921,567

Applicant(s)

KUROKI ET AL.

Examiner

Joseph Nguyen

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 22-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Art Unit: 2815

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of claims 1-21 in Paper No. 5 is acknowledged. The traversal is on the ground(s) that a search and examination of the entire application would not place a serious burden on the Examiner. This is not found persuasive because claims 1-21 are readable on figures 1 and 9 whereas claims 24-28 are readable on figure 10. Note that claims 24 and 25, which comprise a case body fastening the display panel via a fasten member, are mutually exclusive from claims 1 and 11. As such, a search and examination of claims 1-21, 24-28 would place a serious burden on the Examiner. Therefore, claims 1-21 are prosecuted while claims 22-28 are withdrawn from consideration.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 10, 11-18, 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Komano.

Art Unit: 2815

Regarding claim 1, Komano discloses on figure 1 a display device comprising a front frame 13 having an annular picture frame and having a pair of side faces and a pair of end faces provided in outer circumferential sides of the picture frame, a mold frame 12 sandwiched by the pair of side faces and the pair of end faces, and a display panel 11 arranged between the front frame and the mold frame, wherein stopper pieces 78 for alignment of the display panel are formed in the side faces and the end faces.

Regarding claim 2, Komano discloses on figure 1 the stopper pieces 78 are stepped portions formed by working the side faces and the end faces.

Regarding claim 3, Komano discloses on figure 1 the stopper pieces 78 are ones formed by folding protrusions protruding from a root of the side faces and the end faces.

Regarding claim 4, Komano discloses on figure 1 the stopper pieces 78 are space members stuck on the side faces and the end faces.

Regarding claim 5, Komano discloses on figure 1 the display panel 11 is connected to a circuit substrate 76 via a plurality of films 75 arranged and spaced by gaps, and the stopper pieces 78 are inserted in the gaps.

Regarding claim 6, Komano discloses on figure 1 the gaps into which the stopper pieces are inserted are made wider than other gaps.

Regarding claim 7, Komano discloses on figure 1 not only alignment of the display panel 11 but also alignment of the mold frame 12 are implemented by the stopper pieces 78.

Regarding claim 10, the claim language is merely the intended use and therefore is not given a patentable weight.

Regarding claim 11, Komano discloses on figure 1 a display device comprising a front frame 13 having an annular picture frame and having a pair of side faces and a pair of end faces provided in outer circumferential sides of the picture frame, and a display panel 11 arranged between the front frame and a mold frame 12, where first stopper pieces 78 for alignment of the display panel are formed in the side face and the end face, second stopper pieces (elements right next to 31) for alignment of the display panel are formed in a circumference of the mold frame 12, and the second stopper pieces are opposed to the first stopper pieces 78 via the display panel 11.

Regarding claim 12, Komano discloses on figure 1 the mold frame 12 sandwiched by the pair of side faces and the pair of end faces.

Regarding claim 13, Komano discloses on figure 1 the stopper pieces are stepped portions formed by working the side faces and end faces.

Regarding claim 14, Komano discloses on figure 1 the stopper pieces are ones formed by folding protrusions protruding from a root of the side faces and the end faces.

Regarding claim 15, Komano discloses on figure 1 the stopper pieces are spacer members stuck on the side faces and the end faces.

Regarding claim 16, Komano discloses on figure 1 the display panel 11 is connected to a circuit substrate 76 via a plurality of films 75 arranged and spaced by gaps, and the stopper pieces are inserted into the gaps.

Regarding claim 17, Komano discloses on figure 1 the gaps into which the stopper pieces are inserted are made wider than other gaps.

Art Unit: 2815

Regarding claim 18, Komano discloses on figure 1 not only alignment of the display panel 11 but also alignment of the mold frame 12 are implemented by the stopper pieces.

Regarding claim 21, the claim language is merely the intended use and therefore is not given a patentable weight.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-9, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komano as applied to claims 1 and 11 above.

Regarding claims 8 and 19, Komano discloses on figure 1 substantially all the structures set forth in the claimed invention except distances between the side face and the end face and an alignment face of the stopper piece set to 0.1 to 0.5 mm. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Komano by having distances between the side face and the end face and an alignment face of the stopper piece set to 0.1 to 0.5 mm for the purpose of improving the efficiency of a display device, since it has been held that where the general conditions of a claim are disclosed in the prior art discovering the optimum or working ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

Art Unit: 2815

Regarding claims 9 and 20, Komano discloses on figure 1 substantially all the structures set forth in the claimed invention except distances between the side face and the end face and an alignment face of the stopper piece set to 0.3 to 0.5 mm. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Komano by having distances between the side face and the end face and an alignment face of the stopper piece set to 0.3 to 0.5 mm for the purpose of improving the efficiency of a display device, since it has been held that where the general conditions of a claim are disclosed in the prior art discovering the optimum or working ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6426784 B1 to Sakai et al. discloses a liquid display device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Nguyen whose telephone number is (703) 308-1269. The examiner can normally be reached on Monday-Friday, 7:30 am- 4:30 pm

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (703) 308-2772. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382 for regular communications.

Art Unit: 2815

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JN
October 28, 2003


GEORGE ECKERT
PRIMARY EXAMINER